

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bryan et al. PATENT NO. 5,865,846

SERIAL NO.: GROUP ART UNIT:

FILED: February 2, 2001 EXAMINER:

FOR: HUMAN SPINAL DISC PROSTHESIS

ATTORNEY DOCKET NO.: 46739/252388

3
Preliminary
J. Beyer
10/11/01

Assistant Commissioner for
Patents
Washington, D.C. 20231

DATE: February 2, 2001

PRELIMINARY AMENDMENT

Sir:

Preliminary to any examination on the merits, please amend the above-mentioned application as indicated below.

IN THE CLAIMS

Please cancel claims 5-7 without prejudice or disclaimer to the subject matter thereof.

Please amend the claims as follows.

gwb
a1
4. (Amended) A method of surgery comprising: [the steps of removing a vertebral disc from a patient's spine, forming holes at precisely predetermined locations in the bone structure adjacent the location of the removed disc, tapping the